

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

DEDRA STRICKLAND,

Plaintiff,

vs.

STATE OF WASHINGTON SEATTLE  
CENTRAL COLLEGE, et al.

Defendants.

**CAUSE NO. 18-01073JLR**

DEFENDANTS' ANSWER TO  
PLAINTIFF'S COMPLAINT FOR  
DAMAGES

Defendants, State of Washington Seattle Central College, Sheila Edwards Lange, David Blake, Yoshiko Harden, Christine Nelson, Susan Engel, Jessica Norouzi, Brigid McDevitt, Brian Kenney, and David Skogerboe (hereafter Defendants) in answer to Plaintiff's complaint, admit, deny and allege as follows:

**I. PARTIES**

1.1 On information and belief, Defendants admit.

1.2 Admit.

1.3 Defendants admit that Sheila Edwards Lange at all times acted in her official capacity. Defendants lack knowledge or information sufficient to admit and therefore deny the balance of the allegations contained in paragraph 1.3.

1.4 Defendants admit that David Blacke at all times acted in his official capacity. Defendants

1 lack knowledge or information sufficient to admit and therefore deny the balance of the  
2 allegations contained in paragraph 1.4.

3 1.5 Defendants admit that Yoshiko Harden at all times acted in his official capacity.  
4 Defendants lack knowledge or information sufficient to admit and therefore deny the balance of  
5 the allegations contained in paragraph 1.5.

6 1.6 Defendants admit that Christina Nelson at all times acted in her official capacity.  
7 Defendants lack knowledge or information sufficient to admit and therefore deny the balance of  
8 the allegations contained in paragraph 1.6.

9 1.7 Defendants admit that Susan Engel at all times acted in her official capacity. Defendants  
10 lack knowledge or information sufficient to admit and therefore deny the balance of the  
11 allegations contained in paragraph 1.7.

12 1.8 Defendants admit that Jessica Norouzi at all times acted in her official capacity.  
13 Defendants lack knowledge or information sufficient to admit and therefore deny the balance of  
14 the allegations contained in paragraph 1.8.

15 1.9 Defendants admit that Brigid McDevitt at all times acted in her official capacity.  
16 Defendants lack knowledge or information sufficient to admit and therefore deny the balance of  
17 the allegations contained in paragraph 1.9.

18 1.10 Defendants admit that Brian Kenney at all times acted in his official capacity. Defendants  
19 lack knowledge or information sufficient to admit and therefore deny the balance of the  
20 allegations contained in paragraph 1.10.

21 1.11 Defendants admit that David Skogerboe at all times acted in his official capacity.  
22 Defendants lack knowledge or information sufficient to admit and therefore deny the balance of  
23 the allegations contained in paragraph 1.11.

24 1.12 Defendants lack knowledge or information sufficient to admit and therefore deny the  
25 allegations contained in paragraph 1.12.

26 1.13 Defendants lack knowledge or information sufficient to admit and therefore deny the

allegations contained in paragraph 1.13.

## II. JURISDICTION AND VENUE

2.1 Paragraph 2.1 states allegations of law that require no answer.

2.2 Paragraph 2.2 states allegations of law that require no answer.

2.3 Paragraph 2.3 states allegations of law that require no answer.

2.4 Paragraph 2.4 states allegations of law that require no answer.

2.5 Defendants admit that Plaintiff filed a Tort Claim on May 3, 2018, and further admit that Defendants sent acknowledgment of Plaintiffs Tort Claim on June 6, 2018. Defendants deny the balance of the allegations contained in paragraph 2.5.

2.6 Admitted.

2.7 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2.7 and, therefore, deny the same.

## III. NATURE OF THE CASE

3.1 Paragraph 3.1 states no allegation regarding Defendants and thus requires no answer. Insofar as an answer is required, Defendants deny the allegations contained in paragraph 3.1.

3.2 Paragraph 3.2 states no allegation regarding Defendants and thus requires no answer. Insofar as an answer is required, Defendants deny the allegations contained in paragraph 3.2.

3.3 Paragraph 3.3 states no allegation regarding Defendants and thus requires no answer. Insofar as an answer is required, Defendants deny the allegations contained in paragraph 3.3.

3.4 Paragraph 3.4 states no allegation regarding Defendants and thus requires no answer. Insofar as an answer is required, Defendants deny the allegations contained in paragraph 3.4.

## IV. GENERAL FACTS

4.1 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4.1 and, therefore, deny the same.

4.2 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4.2 and, therefore, deny the same.

1 4.3 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
2 the allegations contained in paragraph 4.1 and, therefore, deny the same.

3 **V. CAUSES OF ACTION**

4 **A. RACE DISCRIMINATION**

5 5.1 Admit.

6 5.2 On information and belief Defendants admit that the College had a Program Assistant  
7 position in June 2015 and deny the balance of the allegations contained in paragraph 5.2.

8 5.3 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
9 the allegations contained in paragraph 5.3 and, therefore, deny the same.

10 5.4 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
11 the allegations contained in paragraph 5.4 and, therefore, deny the same.

12 5.5 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
13 the allegations contained in paragraph 5.5 and, therefore, deny the same.

14 5.6 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
15 the allegations contained in paragraph 5.6 and, therefore, deny the same.

16 5.7 Denied.

17 5.8 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
18 the allegations contained in paragraph 5.8 and, therefore, deny the same.

19 5.9 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
20 the allegations contained in paragraph 5.9 and, therefore, deny the same.

21 5.10 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
22 the allegations contained in paragraph 5.10 and, therefore, deny the same.

23 5.11 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
24 the allegations contained in paragraph 5.11 and, therefore, deny the same.

25 5.12 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
26 the allegations contained in paragraph 5.12 and, therefore, deny the same.

5.13 Denied.

5.14 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.14 and, therefore, deny the same.

5.14 (sic) Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.14(sic) and, therefore, deny the same.

**B. SEX DISCRIMINATION**

5.16 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.16 and, therefore, deny the same.

5.16 (sic) Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.16(sic) and, therefore, deny the same.

5.17 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.17 and, therefore, deny the same.

5.19 (sic) Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.19 and, therefore, deny the same.

**C. AGE DISCRIMINATION**

5.20 On information and belief Defendants admit that Plaintiff is over the age of forty (40), and deny the balance of the allegations contained in paragraph 5.20.

5.21 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.21 and, therefore, denies the same.

5.22 Defendants admit that David Skogerboe was for a limited time the supervisor of Plaintiff, and deny the balance of the allegations contained in paragraph 5.22.

5.23 Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.23 and, therefore, denies the same.

5.24 Denied.

**D. VIOLATION OF CIVIL RIGHTS**

5.25 Denied.

1 5.26 Denied.

2 5.27 Denied.

3 **E. RETALIATION**

4 5.26 (sic) Denied.

5 5.28 Denied.

6 5.27 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
7 the allegations contained in paragraph 5.27 and, therefore, deny the same.

8 5.28 (sic) Defendants lack knowledge or information sufficient to form a belief as to the  
9 truth of the allegations contained in paragraph 5.28(sic) and, therefore, deny the same.

10 5.29 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
11 the allegations contained in paragraph 5.29 and, therefore, deny the same.

12 5.30 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
13 the allegations contained in paragraph 5.30 and, therefore, deny the same.

14 5.31 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
15 the allegations contained in paragraph 5.31 and, therefore, deny the same.

16 5.32 Denied.

17 5.33 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
18 the allegations contained in paragraph 5.33 and, therefore, deny the same.

19 5.34 Defendants lack knowledge or information sufficient to form a belief as to the truth of  
20 the allegations contained in paragraph 5.34 and, therefore, deny the same.

21 5.38 (sic) Defendants lack knowledge or information sufficient to form a belief as to the truth of  
22 the allegations contained in paragraph 5.38(sic) and, therefore, deny the same.

23 5.35 (sic) Defendants lack knowledge or information sufficient to form a belief as to the truth of  
24 the allegations contained in paragraph 5.35 and, therefore, deny the same.

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By Way of FURTHER ANSWER and FIRST AFFIRMATIVE DEFENSE, Defendants allege:

1. SERVICE OF PROCESS: that the summons and complaint were never properly served upon the Defendants [or that the process served was insufficient].

2. JURISDICTION: that the court lacks jurisdiction over the subject matter of this action [or that the court lacks jurisdiction over the person of the Defendant].

3. EXHAUSTION OF ADMINISTRATIVE REMEDIES: that Plaintiff has failed to exhaust administrative remedies or Plaintiff's remedy is administrative rather than judicial and therefore the action will not lie.

4. FAILURE TO STATE A CLAIM: that the Plaintiff has failed to state a claim upon which relief may be granted.

5. GOOD FAITH: that the Defendant at all times acted in good faith in the performance of its duties and is therefore immune from suit for the matters charged in plaintiff's complaint.

6. MITIGATION OF DAMAGES: that if the Plaintiff suffered any damages, recovery therefor is barred by plaintiff's failure to mitigate said damages.

7. IMMUNITY: that the Defendants are immune from suit for the matters charged in plaintiff's complaint.

8. ELEVENTH AMENDMENT IMMUNITY: that the Defendant State of Washington, its agencies and agents, are not subject to civil suit for damages under the Eleventh Amendment of the Constitution of the United States.

WHEREFORE, Defendants pray that Plaintiff's complaint be dismissed with prejudice as to Defendants Washington State Seattle Central College, Sheila Edwards Lange, David Blake, Yoshiko Harden, Christine Nelson, Susan Engel, Jessica Norouzi, Brigid McDevitt, Brian Kenney,  
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1 and David Skogerboe and that Plaintiff takes nothing by her complaint and that Defendants be  
2 allowed their costs and reasonable attorney fees herein.

3 DATED this 23rd day of August, 2018August, 2018.

4 ROBERT W. FERGUSON  
5 Attorney General

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**DECLARATION OF SERVICE**

I declare that on today's date I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Beverly Grant – [beverly@bevgrantlaw.com](mailto:beverly@bevgrantlaw.com)  
Elizabeth Lunde – [elizabethlunde@bevgrantlaw.com](mailto:elizabethlunde@bevgrantlaw.com)

DATED this 23rd day of August 2018.

ROBERT W. FERGUSON  
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